

To: Keigwin, Richard[Keigwin.Richard@epa.gov]; Nesci, Kimberly[Nesci.Kimberly@epa.gov]
Cc: Pease, Anita[Pease.Anita@epa.gov]; Dyner, Mark[dyner.mark@epa.gov]
From: Echeverria, Marietta
Sent: Tue 4/25/2017 2:11:39 PM
Subject: RE: CLA Letters re BEs: Issue Paper Needed
ESA Issue Paper industry letters 4-25-17.docx

Rick,

The attached version incorporates your edits and addresses your comments. We talked to the

Ex. 5 - Deliberative Process

Marietta

From: Keigwin, Richard
Sent: Tuesday, April 25, 2017 1:39 AM
To: Nesci, Kimberly <Nesci.Kimberly@epa.gov>
Cc: Pease, Anita <Pease.Anita@epa.gov>; Dyner, Mark <dyner.mark@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Subject: RE: CLA Letters re BEs: Issue Paper Needed

Some comments for your consideration. I plan to discuss this draft paper with Wendy during this afternoon's OPP General.

From: Nesci, Kimberly
Sent: Monday, April 24, 2017 12:32 PM

To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Pease, Anita <Pease.Anita@epa.gov>; Dyner, Mark <dyner.mark@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Subject: RE: CLA Letters re BEs: Issue Paper Needed

Rick,

See attached for a revised 2-pager that incorporates Mark's comments on a previous version. Note that it is now ~2 lines more than 2 pages, but I wanted to get this to you sooner rather than spend time to find lines. Let us know if you need us to streamline before you review.

Thanks,

Kimberly

Kimberly Nesci

Environmental Fate and Effects Division (7507P)

Office of Pesticide Programs

U.S. Environmental Protection Agency

703-308-8059

nesci.kimberly@epa.gov

From: Echeverria, Marietta
Sent: Monday, April 24, 2017 10:42 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Pease, Anita <Pease.Anita@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>; Dyner, Mark <dyner.mark@epa.gov>
Subject: RE: CLA Letters re BEs: Issue Paper Needed

Rick,

As requested please see the 2 pager. Please let me know if you'd like to walk through the recommendation.

From: Keigwin, Richard
Sent: Friday, April 21, 2017 7:17 AM
To: Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Cc: Pease, Anita <Pease.Anita@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>
Subject: RE: CLA Letters re BEs: Issue Paper Needed

Here's the format. I think this is the paper we sent forward last month.

From: Echeverria, Marietta
Sent: Friday, April 21, 2017 6:34 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>
Cc: Pease, Anita <Pease.Anita@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>
Subject: Re: CLA Letters re BEs: Issue Paper Needed

Got it.

Sent from my iPhone

On Apr 21, 2017, at 6:28 AM, Keigwin, Richard <Keigwin.Richard@epa.gov> wrote:

We need to develop a short (no more than 2 page) issue paper for the Administrator that discusses the issues raised by the registrants about the 3 OP BEs, the implications for the 2 NMC BEs, and a recommended path forward.

Once I can log into my computer, I'll send you the recommended format.

I need to get a draft to Wendy for her review by early next week.

Below is the paragraph that Wendy included in her "Thursday Note" to the Administrator.

Registrants Request That Pesticide Biological Evaluations Be Withdrawn

Dow AgroScience, LLC; Makhteshim Agan of North America, Inc.; and FMC Corporation sent letters (4/13/2017) to EPA, U.S. Fish and Wildlife Service and the National Marine Fisheries Service requesting that the chlorpyrifos, diazinon and malathion BEs be withdrawn from the services, and that the services stop work on their Biological Opinions. They claim that the interim approaches used in the BEs to analyze nation-wide effects on endangered species are flawed. OCSPP had anticipated releasing draft BEs for carbaryl and methomyl on April 18, 2017 for public comment. The services are subject to a settlement agreement deadline to issue biological opinions on these pesticides by December 31, 2017. Next Step:

Ex. 5 - Deliberative Process

Rick Keigwin

Acting Director, Office of Pesticide Programs

U.S. Environmental Protection Agency

Sent from my iPhone

Begin forwarded message:

From: "Cleland-Hamnett, Wendy" <Cleland-Hamnett.Wendy@epa.gov>

Date: April 20, 2017 at 7:24:10 PM EDT

To: "Keigwin, Richard" <Keigwin.Richard@epa.gov>, "Jakob, Avivah" <Jakob.Avivah@epa.gov>

Subject: CLA Letters re BEs

I've mentioned this in the weekly report, but I want to send up a "Hot Issue for Decision" Paper on this topic, that can be used – hopefully – to get a decision. Please

email to me whenever you have a draft, and I'll review. Thanks.

Wendy Cleland-Hamnett

Acting Assistant Administrator

Principal Deputy Assistant Administrator

Office of Chemical Safety & Pollution Prevention

U.S. Environmental Protection Agency

202-564-2910

cleland-hamnett.wendy@epa.gov